

COUNCIL ON HUMAN SERVICES

MINUTES

December 11, 2013

COUNCIL

Mark Anderson
Phyllis Hansell
Arnie Honkamp
Mark Peltan
Guy Richardson
Roberta Yoder
Kim Spading (absent)

EX-OFFICIO LEGISLATIVE MEMBERS

Representative Joel Fry (absent)
Representative Lisa Heddens (absent)
Senator Jack Whitver (absent)
Senator Amanda Ragan

STAFF

Chuck Palmer
Jennifer Vermeer
Amy McCoy
Linda Miller

Nancy Freudenberg
Jen Harbison
Wendy Rickman

GUESTS

Dennis Tibben, Iowa Medical Society
Erin Davidson-Rippey, Planned Parenthood
Sandi Hurtado-Peters, Department of Management

CALL TO ORDER

Mark Peltan, Chair, called the Council meeting to order at 10:00 a.m. by teleconference on Wednesday, December 11, 2013, in the Director's Fifth Floor Conference Room of the Hoover Building.

ROLL CALL

All Council members were present with the exception of Spading. All ex-officio legislative members were absent with the exception of Senator Ragan.

This meeting of the Iowa Council on Human Services is being held in accord with Section 21.8 of the Code of Iowa entitled "electronic meeting." The Code states that a governmental body may conduct a meeting by electronic means if circumstances are such that a meeting in person is impossible or impractical, or if the governmental body complies with the following rules. The rules essentially state that access must be provided to the public. The meeting is being held on a speaker phone in the Director's fifth floor conference room of the Hoover State Office Building. Notices and agendas were sent to interested groups as well as the press advising them the meeting will be held via conference call. Minutes will be kept of the meeting.

RULES

Nancy Freudenberg, Bureau of Policy Coordination, presented the following rules to Council.

1. Amendments to Chapter 7, Appeals and Hearings. Implements changes to the appeals process and requirements that resulted from the Patient Protection and Affordable Care Act.

Freudenberg said one comment was received internally. Based on the comment received, the rule was changed to provide further clarification.

A motion was made by Hansell to approve and seconded by Richardson.
MOTION UNANIMOUSLY CARRIED.

2. Amendments to Chapters 9 and 97, Child Support. Updates rules to conform to Iowa statutory changes and federal regulations regarding confidentiality of support payment records maintained by CSRU and the Collection Services Center.

Freudenberg said no comments were received and no revisions were made to the noticed rule.

A motion was made by Yoder to approve and seconded by Hansell. MOTION UNANIMOUSLY CARRIED.

3. Amendments to Chapter 78, Medicaid. Provides clarification about services provided under the Non-Emergency Medical Transportation (NEMT) program.

Freudenberg said this rule is a Department initiative. The number of NEMT trips provided has grown by 76% since October of 2010. There has also been a big shift in the types of trips being taken by Medicaid members. The two primary types of trips reimbursed under NEMT are mileage reimbursement and provider trips. The percentage of mileage reimbursement trips shows a significant reduction while there has been a significant increase in the number of provider rides, which are, in turn, more expensive. The goal of this amendment is to clarify administrative rules and implement changes to the program to continue to meet member needs while ensuring that the NEMT program remains cost-effective.

Freudenberg said comments were received from two individuals: Dr. Stacey Cyphert, Assistance Vice-President for Health Policy with the University of Iowa and Doug Sample, Medical Assistance Advisory Council (MAAC). However, no changes were made to the noticed rule.

Honkamp requested to know if the increase DHS is experiencing is reflective in the budget. Vermeer explained the contract with the transportation brokerage. She said Medicaid pays the broker \$2.14 per month for each Medicaid member and the broker is then responsible for the transportation that is required. The increase in costs are costs the broker has absorbed. Vermeer spoke about how the program operates and how the services are rendered. Frequent meetings have been held with the broker and IME staff and they both worked together on the rule package. Honkamp said it is his hope that if any contractor comes to DHS wanting an increase in their contract that it is verified by them having to expose their financial records to the Department. Vermeer explained the competitive procurement process.

Peltan reiterated his concern that family members are excluded from transportation services to either visit or participate in therapy when the member is hospitalized. Vermeer said the Centers for Medicare and Medicaid Services (CMS) have said this is not a covered service under Medicaid and the state is not permitted to draw federal match for transporting family members.

A motion was made by Richardson to approve and seconded by Yoder. MOTION UNANIMOUSLY CARRIED.

4. Amendments to Chapter 119, Child Welfare. Allows conditional employment in a hospital or health care facility for up to 60 days pending completion of an

evaluation. Also allows persons previously evaluated by a healthcare facility to work for another similar type facility.

Freudenberg said no comments were received and no revisions were made to the noticed rule.

A motion was made by Hansell to approve and seconded by Yoder. MOTION UNANIMOUSLY CARRIED.

5. Amendments to Chapters 51 and 52, State Supplementary Assistance. Allows the state to meet the maintenance of fiscal effort requirement of the Social Security Act in the State Supplementary Assistance Program. This rulemaking is also being filed a Notice of Intended Action to allow for public comment.

A motion was made by Richardson to approve and seconded by Yoder. MOTION UNANIMOUSLY CARRIED.

6. Amendments to Chapter 75, Medicaid. Reinstates rules governing the Iowa Medicaid "lock-in" program that were inadvertently omitted from a previous version of 441-Chapter 76. This rulemaking is also being filed as a Notice of Intended Action to allow for public comment.

Peltan asked how many people are in the program. Vermeer responded approximately 1,500.

A motion was made by Yoder to approve and seconded by Richardson. MOTION UNANIMOUSLY CARRIED.

REPORT OF NOTICED ACTION

N-1. Amendments to Chapter 51 and 52, State Supplementary Assistance. Allows the state to meet the maintenance of fiscal effort requirement of the Social Security Act in the State Supplementary Assistance program. This rulemaking is also being filed as an emergency rule.

N-2. Amendments to Chapter 75, Medicaid. Reinstates rules governing the Iowa Medicaid "lock-in" program that were inadvertently omitted from a previous version of 441-Chapter 76. This rulemaking is also being filed as an emergency rule.

N-3. Amendments to Chapter 78, Medicaid. Implements changes to rules for bone marrow and heart transplants.

A motion was made by Anderson to accept the Report of Noticed Action and seconded by Richardson. MOTION UNANIMOUSLY CARRIED.

Council members requested the list of future agenda items for Council meetings be shared with them.

Honkamp disconnected from the conference call at 10:40 a.m.

APPROVAL OF MINUTES

A motion was made by Hansell to approve the November 13, 2013, minutes and seconded by Richardson. MOTION UNANIMOUSLY CARRIED.

COUNCIL MEMBERS' UPDATES

Richardson said the County Board of Supervisors recently met with a sheltered workshop and the discussion centered around the requirements of the cumbersome cost reporting system. They believe they have a system that would simplify the reporting requirements considerably. He said he will further pursue this conversation with Director Palmer.

DIRECTOR'S REPORT

Director Palmer said approval was received yesterday from the U.S. Health and Human Services (HHS) on the Iowa Health and Wellness plan federal waiver. However, the HHS rejected a component that would have required many participants to pay a few dollars per month in premiums if they failed to participate in wellness activities, such as health checks. Director Palmer shared the Governor's statement made yesterday: "the Branstad administration has had ongoing communications with the U.S. Health and Human Services today. The conversations have been productive and the Governor and Lt. Governor are optimistic about a clear path forward including premium contributions promoting health behaviors, without loss of coverage, in accordance with Iowa law. Conversations will continue on details needed for approval of the bipartisan Iowa Health and Wellness Plan." At this point, DHS is continuing to operate with the assumption that the state and federal officials will come to full agreement. What is being discussed now will not go into effect until a year from now but both parties want to be clear going forward on the intent. Palmer also updated Council on the work flow process and field capacity for the thousands of new applications being received by the agency.

Palmer said agency staff presented the Council's budget to the Governor on December 10th. It was well received. The Governor will review the Council's recommendations and then make his recommendations to the legislature. It was noted that there have been significant reductions in the Federal Medical Assistance Percentage (FMAP) since the Council deliberated their budget in September. DHS staff have spent time with the Governor regarding strategies for maintaining cost control activities for the Medicaid program (approximately \$700 million per year).

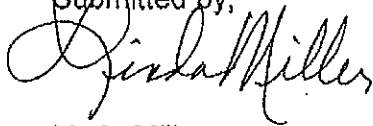
Director Palmer said staff have been pursuing the task force recommendations for the Iowa Juvenile Home in Toledo. He spoke of the removal of the boys from the campus, pursuing alternative settings for children in need of assistance (CINA) (primarily girls), the current population on the campus and the work being done to identify locations so they can adequately be served, and the reduction in force. He noted that staff should be commended for helping the youth through this transition. Council was also updated on the efforts being made for staff in regard to employment opportunities.

NEXT MEETING

The next meeting of the Council on Human Services will be Monday, January 8, 2014.

Council adjourned at 11:04 a.m.

Submitted by,

A handwritten signature in cursive script, appearing to read "Linda Miller", is written over the printed name.

Linda Miller
Recording Secretary

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